

a political campaign which resulted in the first minority School Chancellor of the New York City Board of Education. Reverend Sharpton also led the now famous marches against "crack" houses, exposing them to law enforcement agencies.

Reverend Sharpton, as founder and president of the National Action Network, fights for progressive, people-based policies. Al Sharpton has risen as a pivotal spokesman against police brutality in America. Together with Martin Luther King, II, Sharpton led the "Redeem the Dream" March to address the issues of racial profiling and police brutality. His most recent political actions include protesting the U.S. bombing on Vieques, Puerto Rico, an action for which he received a 90 day jail sentence.

Al Sharpton has been married to singer Kathy Jordan for almost twenty years. Together they have two daughters, Dominique and Ashley.

Mr. Speaker, Reverend Al Sharpton has devoted his life to serving his community, his church, and all people. As such, he is more than worthy of receiving our recognition today. I hope that all of my colleagues will join me in honoring this truly remarkable man.

#### INTERNATIONAL CHILDREN'S DAY

##### HON. MICHAEL FERGUSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 21, 2001

Mr. FERGUSON. Mr. Speaker, I rise to honor young people around the world today, as a supporter of the International Children's Day.

Our children are our greatest natural resource, and they embody the very spirit of our nation's future. Our children are wonderful symbols of the infinite promise of tomorrow. The incredible potential that these children hold in their minds and in their hearts knows no bounds. I feel it is essential that we recognize children so that we may instill in them a sense of self-worth and self-esteem. Through our efforts, we may guide them along a successful path in life.

Now, more than ever, our children need our support, as they are faced with many challenges that our generations could have never imagined. School violence has become a terrible epidemic, and we must exhaust all possible avenues as we try to reach a solution to this problem. Our children deserve our utmost attention as they grow and take on new responsibilities. Children deserve a day in which we honor them for the lives they touch and the joy they bring to the world.

While first celebration of Children's Day took place in San Francisco in 1925, the United States no longer acknowledges this holiday. Today, over twenty-five countries—including England, Scotland, Sweden, Poland, and Norway—all consider this day to be worthy of honor. We too, should recognize International Children's Day and bring back this day to the country in which it originated.

I would like to recognize Margareta Paslaru-Sencovici of Summit, New Jersey, who has worked tirelessly to establish June 1st of each

year as International Children's Day. After emigrating from Russia, Margareta has spent 18 years living in Summit and received an honorary award and membership to UNICEF for her protection of children. Margareta continues to return to Bucharest where she visits orphanages to entertain the children with stories and song, as well as delivering toys and clothing, which she has collected through donations here in America.

I commend Margareta for bringing international recognition to a day we can all agree on regardless of political affiliation, religious preference, or race because, after all, there is no dispute that our children are our future.

#### DEMOCRACY IN ALBANIA

##### HON. JEFF FLAKE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 21, 2001

Mr. FLAKE. Mr. Speaker, I rise today to discuss the events currently underway in the country of Albania. You may recall that ten years ago this Eastern European nation cast off the heavy burden of communism. Since its first elections in 1991, Albanian elections have been marked with partisan manipulation, which has resulted in the disillusionment of the Albanian people.

The upcoming June 24th national elections are a significant opportunity for Albania to move towards establishing a transparent democratic government.

While there is reason to be hopeful that these elections will be better than previous Albanian elections, there also remains cause for continued concern that they will fall short of the free and fair standard that not only we but the Albanian people themselves would want to see. It is my hope the upcoming elections will mean another step forward and not a step backwards in Albania's quest to establish a strong democracy in this troubled region.

I call upon all my colleagues to join me in carefully watching the unfolding events in Albania.

#### INTRODUCTION OF THE CLINICAL SOCIAL WORK MEDICARE EQUITY ACT OF 2001

##### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 21, 2001

Mr. STARK. Mr. Speaker, today I join with Rep. LEACH and Sen. MILKULSKI to introduce the Clinical Social Work Medicare Equity Act of 2001. This bipartisan legislation would fix a technical error created by the Balanced Budget Act of 1997 (BBA'97) and help residents of skilled nursing facilities (SNFs) better access needed mental health care. It does this by allowing clinical social workers to bill Medicare directly when they provide mental health services to SNF residents.

Clinical social workers are highly trained mental health professionals who have participated in the Medicare program since 1987.

They constitute the single largest group—roughly 60 percent—of mental health providers in the nation. In rural and other medically underserved areas, clinical social workers are often the only mental health providers.

Until BBA'97, clinical social workers were able to bill Medicare directly for providing mental health services to SNF residents, just like clinical psychologists and psychiatrists. But a drafting error in BBA'97 unintentionally stripped clinical social workers of this ability and created an inequity that ultimately harms beneficiaries who need mental health care.

In order to contain rising healthcare costs, Section 4432 of BBA'97 authorized a prospective payment system for Medicare SNFs. For each day a beneficiary spends in a SNF, the facility receives a fixed payment that essentially bundles together the range of services a typical resident requires. Yet Congress recognized that some ancillary services, including mental health services, are better provided on an individually arranged basis. Mental health providers, including clinical psychologists and psychiatrists, were therefore excluded from the SNF prospective payment system.

Unfortunately, clinical social workers were not placed on this exclusion list. This was an unintended oversight arising from a failure to recognize that all social workers are not alike.

Some social workers are specifically trained to provide medical-social services, such as discharge planning from inpatient or long-term care settings. Because SNF residents often require this type of medical-social service, it makes sense to bundle it into the SNF prospective payment system.

Clinical social workers, however, are specifically trained to provide mental health services. Clearly Congress never intended mental health services to be part of the SNF prospective payment system. Therefore, the failure to exclude clinical social workers, who are Medicare-authorized mental health providers, makes no sense.

If Congress does not fix this oversight in the law, many clinical social workers will be forced to stop serving Medicare beneficiaries in SNFs. The ultimate victims are vulnerable seniors who need mental health care.

We must not allow this to happen. According to the 2001 DHHS report, "Older Americans and Mental Health: Issues and Opportunities," mental illness is highly prevalent in nursing homes. In fact, some studies have found that up to 88 percent of nursing home residents have mental health problems, ranging from major depression to Alzheimer's disease. The 1999 Surgeon General report on mental health further indicates that older people have the highest rate of suicide of any age group—accounting for 20 percent of all suicide deaths.

Mental health treatment works. Alzheimer's patients and their families can benefit enormously from psychoeducation and counseling around how to cope and manage behavior problems. Research trials have repeatedly demonstrated that psychotherapy can be as effective as anti-depressants in treating major depression. Clinical social workers provide these important services and do so at a fraction of the cost of clinical psychologists and psychiatrists.

This legislation is strongly endorsed by the National Association of Social Workers and

the Clinical Social Work Federation and is included in a larger omnibus Medicare mental health modernization bill (H.R. 1522) endorsed by over 30 mental health and senior citizen organizations.

Again, our legislation would exclude clinical social workers from the prospective payment system. This small fix corrects what we believe to be a serious error created by BBA'97. It is time to act quickly and decisively to preserve access to needed mental health services for residents in thousands of our nation's skilled nursing facilities.

#### INTRODUCTION OF FOODS ARE NOT DRUGS ACT

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 21, 2001*

Mr. PAUL. Mr. Speaker, I rise to introduce the Foods are not Drugs Act, a constitutional and common sense piece of legislation. This bill stops the Food and Drug Administration (FDA) from interfering with consumers' access to truthful information about foods and dietary supplements in order to make informed choices about their health.

The Foods are not Drugs Act accomplishes its goal by simply adding the six words "other than foods, including dietary supplements" to the statutory definition of "drug." This allows food and dietary supplement producers to provide consumers with more information regarding the health benefits of their products, without having to go through the time-consuming and costly process of getting FDA approval. This bill does not affect the FDA's jurisdiction over those who make false claims about their products.

Scientific research in nutrition over the past few years has demonstrated how various foods and other dietary supplements are safe and effective in preventing or mitigating many diseases. Currently, however, disclosure of these well-documented statements triggers more extensive drug-like FDA regulation. The result is consumers cannot learn about simple and inexpensive ways to improve their health. For example, in 1998, the FDA dragged manufacturers of Cholestin, a dietary supplement containing lovastatin, which is helpful in lowering cholesterol, into court. The FDA did not dispute the benefits of Cholestin, rather the FDA attempted to deny consumers access to this helpful product simply because the manufacturers did not submit Cholestin to the FDA's drug approval process!

The FDA's treatment of the manufacturers of Cholestin is not an isolated example of how current FDA policy harms consumers. Even though coronary heart disease is the nation's number-one killer, the FDA waited nine years until it allowed consumers to learn about how consumption of foods and dietary supplements containing soluble fiber from the husk of psyllium seeds can reduce the risk of coronary heart disease! The Foods are not Drugs Act ends this breakfast table censorship.

The FDA is so fanatical about censoring truthful information regarding dietary supplements it even defies federal courts! For exam-

ple, in the case of *Pearson v. Shalala*, 154 F.3d 650 (DC Cir. 1999), reh'g denied en banc, 172 F.3d 72 (DC Cir. 1999), the United States Court of Appeals for the DC Circuit Court ruled that the FDA violated consumers' first amendment rights by denying certain health claims. However, the FDA has dragged its feet for over two years in complying with the *Pearson* decision while wasting taxpayer money on frivolous appeals. It is clear that even after *Pearson* the FDA will continue to deny legitimate health claims and force dietary supplement manufacturers to waste money on litigation unless Congress acts to rein in this rogue agency.

Allowing American consumers access to information about the benefits of foods and dietary supplements will help America's consumers improve their health. However, this bill is about more than physical health, it is about freedom. The first amendment forbids Congress from abridging freedom of all speech, including commercial speech.

In a free society, the federal government must not be allowed to prevent people from receiving information enabling them to make informed decisions about whether or not to use dietary supplements or eat certain foods. I, therefore, urge my colleagues to take a step toward restoring freedom by cosponsoring the Foods are not Drugs Act.

#### RECOGNIZING THE SPEAKER OF THE PUNJAB STATE ASSEMBLY HONORABLE SARDAR CHARANJIT SINGH ATWAL

**HON. GEORGE RADANOVICH**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 21, 2001*

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize the Honorable Sardar Charanjit Singh Atwal, Speaker of the Punjab State Assembly. Mr. Atwal has been a respected member in the Parliament of India for over 20 years.

Mr. Atwal visited the California Central Valley last year to attend the Commonwealth Speakers Convention, which includes Speakers from all over the world. In the fall of last year, Mr. Atwal also visited the Central Valley to meet with the local Sikh community. Mr. Atwal has been in the field of politics since 1957 and was first elected to the Punjab State Assembly in 1977. Sardar Atwal is a Dalit (Mazhabi Sikh) and a refugee from Pakistan who has risen from the grassroot worker's level to the top hierarchy of the Shiromani Akali Dal (Badal).

Mr. Speaker, I rise to recognize the Honorable Sardar Charanjit Singh Atwal and his achievements for the Sikh community. I urge my colleagues to join me in praising Mr. Atwal's more than 40 years of service to the people of India.

#### DISTURBING TRENDS REGARDING RELIGIOUS FREEDOM IN KAZAKHSTAN

**HON. JOSEPH R. PITTS**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 21, 2001*

Mr. PITTS. Mr. Speaker, I am deeply concerned about the recent pattern of human rights violations in Kazakhstan. Since last autumn, but particularly since January 2001, the Kazakh government has shown a troubling trend in its treatment of American citizens living in Kazakhstan and Kazakh citizens who hold religious beliefs. I have received numerous reports in my office detailing the intense harassment of a number of different American families and their friends in Kazakhstan.

In one instance, officials called three families into the police station and told them they had to leave the country. The families made the arrangements to leave, then, after all of the adults, children and their luggage had been processed through the airport and the family was ready to board the airplane, security officials pulled everyone out of the airport and would not allow them to depart. In another situation, a member of the local secret police came to the family's home and threateningly said that he was staying in their apartment that night and escorting them to the airport to leave the next morning—basically putting the family, including a one-year-old little girl, under house arrest.

Security and court officials also harassed the families of those working at an education center, punished them because of their refusal to pay bribes to local officials, and forced them to pay a \$240 per person fine for trumped-up charges—all apparently because of the peaceful practice of their religious beliefs.

Unfortunately, I have numerous other examples of the negative treatment of religious believing Americans by Kazakh officials. However, not all Americans are treated this way, only the ones who hold religious beliefs. The Americans who were harassed all attended church services, just as they would do anywhere they lived and worked, and made friends with people in that religious community. Sadly, government officials somehow saw something sinister in their peaceful religious practices. Even further, of great concern is the fact that each person or family with whom these Americans were friends has since been harassed by police and state security officials.

Disturbingly, these situations are not mere misunderstandings or random actions by local officials. The pattern of harassment is occurring throughout the country, not just in isolated incidents. Furthermore, Kazakh Evangelical Baptists have reported that security officials have interrupted church services, confiscated literature in the church, recorded all attendees at the service, even arresting participants, and severely beat the pastor in the head, neck and stomach. Then, at the police station, officials threatened the Christians saying things like, "During the Soviet times, believers like you were shot. Now you are feeling at peace, but we will show you."

Correcting the injustices against Americans and Kazakhs is an important step in reflecting